

ORIGINAL
FILE

The BEARS

SINCE 1978: W5XW/R
147.90 IN - 147.30 OUT

FCC MAIL SECTION
BEXAR EMERGENCY AMATEUR REPEATER SYSTEM

16015 White Star Drive
Houston, Texas 78255-1042

RECEIVED

MAR 21 1991

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amending the Rules to Clarify Primary)
and Secondary Responsibility for Re-)
peated Transmissions)

RM-7649

COMMENTS

Comments in Support of the Proposed Amendment are hereby submitted by the undersigned VHF repeater owner and operator notwithstanding that I have not had an opportunity to actually study the proposal submitted by Tom Blackwell, N5GAR, and Joe Jarrett, K5FOG. I have personally known Joe Jarrett for 20 years and my association with him through the Texas VHF FM Society convinces me that any formal proposal associated with his name will be well thought out and serious. Furthermore, I am quite well informed about the recent Commission enforcement actions which while involving Amateur Packet Radio retransmissions, I found to be quite chilling as I applied hypothetically the Commission's enforcement actions against Packet Radio operators to the essentially-quite-similar situation of UHF/VHF voice repeaters. It is my opinion that the Commission, while correct in enforcing a rule against commercial use of Amateur Radio, has nevertheless opened a Pandora's Box, and for the most reprehensible reason: it seems apparent the anti-Establishment political content (anti-Desert Shield/Desert Storm) of the violation was an even greater motivation than the noncommercial use aspect; I acknowledge that the Commission was only responding to a formal complaint—and that the complaint obviously reflects the politics of the complainant in the matter and not necessarily the politics of the Commission. However, the current Rules are too vague, and the Commission's recent enforcement actions irrational in the technical context, and threaten the future of "repeaters" of all types operated in the A.R.S. The Commission is thus encouraged to carry this matter forward and issue a Notice of Proposed Rule Making for appropriate comment by the A.R.S. to ultimately revise the Rules in a manner which enhances the prospects for voluntary compliance.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date he served by first class U.S. Mail, postage prepaid, a copy of the foregoing comments to the petitioner at:

P.O. Box 25403
Dallas, TX 75225

By, /s/ Robert G. Wheaton

18 March, 1991



ACRONYM HELL —
IT'S A STATEMENT!

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